

1 MICHAEL H. RUBIN, State Bar No. 214636  
2 WILSON SONSINI GOODRICH & ROSATI  
3 Professional Corporation  
One Market Plaza  
3 Spear Tower, Suite 3300  
4 San Francisco, CA 94105-1126  
Telephone: (415) 947-2000  
5 Facsimile: (415) 947-2099  
Email: mrubin@wsgr.com

6 DAVID H. KRAMER, State Bar No. 168452  
DALE R. BISH, State Bar No. 235390  
7 JACOB P. VELTMAN, State Bar No. 247597  
WILSON SONSINI GOODRICH & ROSATI  
8 Professional Corporation  
650 Page Mill Road  
9 Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300  
10 Facsimile: (650) 493-6811

11 *Attorneys for Defendant*  
(Additional Counsel listed on Signature Pages)

12 **UNITED STATES DISTRICT COURT**  
13  
**NORTHERN DISTRICT OF CALIFORNIA**  
14  
**OAKLAND DIVISION**

15 IN RE: GOOGLE ANDROID ) CASE NO. 11-MD-02264 JSW  
16 CONSUMER PRIVACY LITIGATION ) MDL No. 2264  
17 \_\_\_\_\_ )  
18 This Document Relates to ) STIPULATED VOLUNTARY  
19 ALL CASES ) DISMISSAL OF NON-  
20 \_\_\_\_\_ ) PARTICIPATING PLAINTIFFS  
21  
22  
23  
24  
25  
26  
27  
28

1       The parties in the above-entitled actions, by and through their respective attorneys, here-  
2 by stipulate to the following:

3           WHEREAS, this consolidated Multidistrict Litigation proceeding consists of eight puta-  
4 tive class actions that were centralized in this Court pursuant to orders of the U.S. Judicial Panel  
5 on Multidistrict Litigation (“JPML”) dated August 8 and August 19, 2011;

6           WHEREAS, on September 21, 2011, the Court ordered that the eight cases centralized by  
7 the JPML, as well as a ninth related action filed in this district, be consolidated for pretrial pur-  
8 poses;

9           WHEREAS, the constituent complaints were brought by or on behalf of 18 individual  
10 plaintiffs, including Juliann King, Julie Brown, Kayla Molaski, Kendrick Cochran, Nicholas  
11 Lawrence, Sid Lajzer, Jon Pessano, Tracey Lipton, Joan Smith, Bryan Hicks, Phillip Hall, Bever-  
12 ly Levine, Theodore Spradley, Erin Hillman, Maritsa Urias, Stan Hines, James Jefferys and Jes-  
13 sica Jefferys;

14           WHEREAS, following appointment of Interim Co-Class Counsel on September 26, 2011,  
15 plaintiffs filed a Consolidated Complaint on November 28, 2011, a First Amended Consolidated  
16 Complaint (“FACC”) on January 23, 2012, and a Second Amended Consolidated Complaint  
17 (“SACC”) on May 9, 2013, each of which removed certain individuals as named plaintiffs in this  
18 action;

19           WHEREAS, plaintiff Juliann King voluntarily dismissed her constituent complaint on  
20 May 9, 2013;

21           WHEREAS, as a result of these amendments and dismissal, Kayla Molaski, Erin Hill-  
22 man, Stan Hines, Jon Pessano, Tracey Lipton, Julie Brown, Sid Lazjer, Bryan Hicks, Theodore  
23 Spradley, James Jefferys, Jessica Jefferys, “M.G.” (a minor) or Juliann King are no longer partic-  
24 ipating in these proceedings;

25           WHEREAS, on June 10, 2014 the Court ordered the parties to meet and confer regarding  
26 whether constituent actions for which no plaintiff was named in the SACC should be dismissed;  
27 and

1        WHEREAS, counsel for Google and Interim Co-Class Counsel agree that individuals not  
2 named in the SACC, and any constituent actions in which no plaintiff is participating, should be  
3 dismissed for all purposes;

4        IT IS SO AGREED that:

5        1. Plaintiffs in any constituent case that were not named as plaintiffs in the SACC are  
6 hereby dismissed, except that such plaintiffs may participate in any settlement or jury  
7 award to the same extent as all other unnamed plaintiffs. For the avoidance of doubt,  
8 the claims of Kayla Molaski, Erin Hillman, Stan Hines, Jon Pessano, Tracey Lipton,  
9 Julie Brown, Sid Lajzer, Bryan Hicks, Theodore Spradley, James Jefferys, Jessica  
10 Jefferys, and "M.G.," are hereby dismissed.

11        2. Any constituent case in which all plaintiffs have been dismissed pursuant to the fore-  
12 going are hereby dismissed. For the avoidance of doubt, the member cases *Brown v.*  
13 *Google Inc.* (No. 11-cv-04573 JSW), *Lipton v. Google Inc.* (No 11-cv-02427 JSW),  
14 and *Jefferys v. Google Inc.* (No. 11-cv-04429 JSW) are hereby dismissed.

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 DATE: July 3, 2014

/s/ Michael H. Rubin

2 Michael H. Rubin  
3 WILSON SONSINI GOODRICH & ROSATI  
4 Professional Corporation  
5 One Market Plaza  
6 Spear Tower, Suite 3300  
7 San Francisco, CA 94105-1126  
8 Telephone: (415) 947-2000  
9 Facsimile: (415) 947-2099  
10 Email: mrubin@wsgr.com

11 David H. Kramer  
12 Dale R. Bish  
13 Jacob P. Veltman  
14 WILSON SONSINI GOODRICH & ROSATI  
15 Professional Corporation  
16 650 Page Mill Road  
17 Palo Alto, CA 94304-1050  
18 Telephone: (650) 493-9300  
19 Facsimile: (650) 493-6811  
20 Email: dkramer@wsgr.com  
21 Email: dbish@wsgr.com  
22 Email: jveltm@wsgr.com

23 *Attorneys for Defendant*

1 DATE: July 3, 2014

/s/ William M. Audet

2 William M. Audet  
3 Jonas P. Mann  
4 AUDET & PARTNERS LLP  
5 221 Main Street  
6 Suite 1460  
7 San Francisco, CA 94105  
8 Telephone: (415) 982-1776  
9 Facsimile: (415) 568-2556  
10 Email: waudet@audetlaw.com  
11 Email: jmann@audetlaw.com

12 Robert K. Shelquist  
13 Karen Hanson Riebel  
14 LOCKRIDGE GRINDAL NAUEN P.L.L.P  
15 100 Washington Avenue S., Suite 2200  
16 Minneapolis, MN 55401  
17 Telephone: (612) 339-6900  
18 Facsimile: (612) 339-0981  
19 Email: rshelquist@locklaw.com  
20 Email: kriebel@locklaw.com

21 ***Interim Co-Lead Class Counsel***

22 DATE: July 3, 2014

/s/ Steven T. Budaj

23 Steven T. Budaj  
24 Paul M. Hughes  
25 STEVEN T. BUDAJ, P.C.  
26 65 Cadillac Square  
27 2915 Cadillac Tower  
28 Detroit, MI 48226  
Telephone: (313) 963-9330  
Facsimile: (313) 963-9185  
Email: stbudaj@counsel.cc  
Email: paul@attorneyhughes.com

29 ***Attorneys for Julie Brown and Kayla Molaski***

1 DATED: July 3, 2014

/s/ Gillian L. Wade

2 Gillian L. Wade  
3 Sara D. Avila  
4 MILSTEIN ADELMAN, LLP.  
5 2800 Donald Douglas Loop North  
6 Santa Monica, CA 90405  
7 Telephone: (310) 396-9600  
8 Facsimile: (313) 396-9635  
9 Email: gwade@milsteinadelman.com  
10 Email: savila@milsteinadelman.com

11 *Attorneys for Tracey Lipton*

12 DATED: July 3, 2014

/s/ Brian W. Smith

13 Brian W. Smith  
14 SMITH & VANTURE, LLP  
15 1615 Forum Place, Suite 4C  
16 West Palm Beach, FL 33401  
17 Telephone: (561) 684-6330  
18 Facsimile: (561) 688-0630  
19 Email: bws@smithvantage.com

20 *Attorneys for James and Jessica Jefferys*

## **CERTIFICATION**

2 I, Michael H. Rubin, am the ECF User whose identification and password are being used  
3 to file this **STIPULATION RE: VOLUNTARY DISMISSAL OF NON-PARTICIPATING**  
4 **PLAINTIFFS.** In compliance with Civil Local Rule 5-1(i), I hereby attest that William M. Au-  
5 det, Steven T. Budaj, Gillian L. Wade, and Brian W. Smith have concurred in this filing.

DATE: July 3, 2014

*/s/ Michael H. Rubin*

Michael H. Rubin  
WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation  
One Market Plaza  
Spear Tower, Suite 3300  
San Francisco, CA 94105-1126  
Telephone: (415) 947-2000  
Facsimile: (415) 947-2099  
Email: [mrubin@wsgr.com](mailto:mrubin@wsgr.com)

*Attorneys for Defendant*

1 PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS

2 HEREBY ORDERED THAT

3 1. Plaintiffs in any constituent case that were not named as plaintiffs in the SACC, in-  
4 cluding Kayla Molaski, Erin Hillman, Stan Hines, Jon Pessano, Tracey Lipton, Julie  
5 Brown, Sid Lajzer, Bryan Hicks, Theodore Spradley, James Jefferys, Jessica Jefferys,  
6 and "M.G." (a minor), are hereby dismissed.

7 2. Any constituent case in which all plaintiffs have been dismissed pursuant to the fore-  
8 going are hereby dismissed, i.e., the member cases *Brown v. Google Inc.* (No. 11-cv-  
9 04573 JSW), *Lipton v. Google Inc.* (No 11-cv-02427 JSW), and *Jefferys v. Google*  
10 *Inc.* (No. 11-cv-04429 JSW), are hereby dismissed.

11

12 SIGNED this 7th day of July, 2014.

13   
14 JEFFREY S. WHITE  
15 UNITED STATES DISTRICT JUDGE

16

17

18

19

20

21

22

23

24

25

26

27

28